

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR- 03-00019

January 15, 2008
9:10 a.m.

U.S.A. -v- VINCENT D. CABRERA, JR.

PRESENT: HON. ALEX R. MUNSON, JUDGE PRESIDING
K. LYNN LEMIEUX, COURTROOM DEPUTY
SANAE N. SHMULL, COURT REPORTER
ERIC O'MALLEY, ASSISTANT U.S. ATTORNEY
VINCENT D. CABRERA, JR., DEFENDANT
KELLEY BUCHER, ATTORNEY FOR DEFENDANT

PROCEEDINGS: VIOLATION HEARING

Defendant **VINCENT D. CABRERA, JR.** appeared without counsel. Government was represented by Eric O'Malley, AUSA. Also present were Melinda Brunson, U.S. Probation Officers.

Attorney Bucher was present in the Courtroom and stated that the Law Office of Anthony Long had not been retained to represent this defendant in the initial matter. Court inquired as to whether Attorney Bucher would be prepared to represent this defendant this morning. Attorney Bucher replied that she would be available.

Attorney Bucher moved for a 30 minute recess so that she could talk with her client. Court so ordered.

Court recessed at 9:40 a.m.. and reconvened at 10:40 a.m.

Court inquired of the defendant whether he admitted or denied the violations. Defendant **DENIED** the allegations. Court set the hearing for this matter for **January 18, 2008 at 1:30 p.m.**

Government recommended release with conditions and third-party custodian. Defense requested that the defendant be released today and called a potential third-party custodian to testify;

Defense called witness:

IDA CABRERA (Defendant's mother). DX.

Government stated that there were no objections to the defendant's mother being his third-party custodian. Court ordered that the defendant be at liberty on the following conditions:

1. The defendant shall submit to any method of testing required by the pretrial services office of the supervising officer for determining whether the defendant is using a prohibited substance or alcohol;
2. The defendant shall participate in a home confinement program which will include a curfew. The defendant is restricted to his residence every day from 8:00 p.m. to 6:00 a.m.;
3. The defendant shall report to the U. S. Probation Office as instructed;
4. The defendant shall be under the supervision of a 3rd party custodian, Ms. Ida Cabrera, the defendant's mother, who agrees to supervise the defendant in accordance with all conditions of his release;
5. The defendant shall not violate any federal, state, or local laws;
6. The defendant shall appear at all court hearings as required;
7. The defendant shall not relocate from his current residence without prior approval of the Court;
8. The defendant shall not make any attempt to get another passport or travel documents;
9. The defendant shall not leave the island of Saipan without written approval of the Court;
10. The defendant shall not possess a firearm or other dangerous weapons; not shall he have such weapons at his residence; and
11. The defendant shall refrain from use or unlawful possession of a narcotic drug or any controlled substances unless prescribed by a licensed medical practitioner licensed in the CNMI.

After review of the defendant's financial affidavit ; Court determined that the defendant did qualify for Court appointed counsel and appointed Attorney Kelley Bucher, nunc pro tunc.

Defendant was remanded into the custody of the U.S. Marshal for processing.

Adj. 10:55 a.m.

/s/ K. Lynn Lemieux
Courtroom Deputy